

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT
Alexandria Division

UNITED STATES OF AMERICA,

v.

Criminal Case No. 1:18-cr-00457

BIJAN RAFIEKIAN, *et al.*,

Defendants.

Non-Party Michael Flynn's Non-Confidential
Memorandum in Support of Motion for Leave
to File a Sealed Document

Non-Party Michael T. Flynn will file a brief responding to a recent government submission. It will relate to material that is already under seal, pursuant to order of the Court. *See* Local Rule 49(D) (providing for the submission of confidential memoranda regarding motions to seal); *see also Nixon v. Warner Communications, Inc.*, 435 U.S. 589, 602-03 (1978) (describing the test considered when determining documents to which the public has a right of access). His brief should be under seal only as long as the material to which it references remains under seal. Once the underlying material is no longer under seal, the brief should be published on the public docket.

Dated: July 8, 2019

Respectfully submitted,

/s/ Jesse R. Binnall

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CERTIFICATE OF SERVICE

I hereby certify that on July 8, 2019, I filed the foregoing in the office of the Clerk, which will provide notice to all counsel of record, using the CM/ECF system.

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